

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

Notes: Descriptions generally summarize bills as introduced. Due to editing of summaries or amendments throughout session, substance of bill following introduction may differ from summary description provided. Please refer to bill text for current provisions. Links are provided for your convenience.

WATER SUPPLY

NOTE: Bills pertaining to liens for water and sewer charges are listed in separate section below.

HB 1492 (Cox) Water well systems providers; definition. Clarifies that a water well systems provider is qualified to install, remove or repair geothermal water well systems to the point of connection to the ground source heat pump. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb1492>

12/15/10 House: Referred to Committee on General Laws

1/12/11 House: Assigned to GL Sub #4 Professions/Occupations & Admin Process

HB 1738 (Bulova) Reporting of water withdrawals; penalty. Authorizes the State Water Control Board to impose a civil penalty, not to exceed \$1,000, upon any person who fails to register and report certain water withdrawal information. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1738>

1/10/11 House: Referred to House ACNR

HB 1743 (Tyler) Nottoway River scenic designation. Extends that portion of the Nottoway River that is designated as a scenic river from the current 39.5 miles to 72.5 miles. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1743>

1/10/11 House: Referred to House ACNR

SB 2173 (Phillips) Drinking water community confidence reports; publication. Requires the Department of Health to include in its regulations governing waterworks, water supplies, and pure water a process whereby waterworks serving fewer than 10,000 people may seek and the Governor may grant a waiver of the requirement that the waterworks mail copies of its community confidence report to each customer of the system at least once annually. Such waterworks shall instead provide notice of the report via publication in a newspaper of general circulation and by such other means as the waterworks deems appropriate and make copies of the report available to the public upon request. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2173>

01/12/11 House: Referred to Committee on Health, Welfare and Institutions

HB 2260 (Morgan) Board for Contractors; well water systems provider license; exception. Provides an exception to the licensing provisions relating to well water systems providers for any licensed plumbing tradesman performing normal maintenance and repair of water wells, water well pumps, and other equipment associated with the repair of water wells and water well systems, provided such tradesman has been continuously licensed as a plumbing tradesman under this article for at least three years, has not been the subject of any disciplinary proceeding by the Board, and has not engaged in any act that would constitute grounds for disciplinary action by the Board. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2260>

01/12/11 House: Referred to Committee on General Laws

HB 2424 (Ingram) Scenic river. Designates a 19.2-mile segment of the Appomattox River in Chesterfield County as a scenic river. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2424>

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

1/18/11 House: Referred to House ACNR

SB 766 (Northam) Water well systems providers; definition. Clarifies that a water well systems provider is qualified to install, remove or repair geothermal water well systems to the point of connection to the ground source heat pump. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb766>

1/17/11 Senate: Re-referred from Senate ACNR

1/17/11 Senate: Re-referred to General Laws & Technology

SB 778 (Lucas) Scenic river. Extends the portion of the Nottoway River that is designated as a component of the Virginia Scenic Rivers System. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB778>

12/8/10 Referred to Senate ACNR

SB 1021 (Puckett) Virginia Water Protection Permits; multiagency review; urgent public health need. Requires the Department of Environmental Quality to identify projects as having an urgent public health need if such project (i) is funded by the Virginia Water Quality Improvement Fund, (ii) is being constructed or directed by a local water authority, and (iii) will mitigate the pollution of residential drinking water sources or will provide safe drinking water in locations where such water is not readily available. When a project is designated as having an urgent public health need, other agencies that must provide comments within 45 days shall do so or shall be deemed to have approved the permit without further opportunity to comment. Currently, other agencies such as the Department of Game and Inland Fisheries, the Department of Conservation and Recreation, the Virginia Marine Resources Commission, the Department of Health, and the Department of Agriculture and Consumer Services must provide comments within 45 days, but the consequences of a failure to do so in a timely manner are not set out. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB1021>

1/11/11 Senate: Referred to Senate ACNR

SB 1024 (Puckett) Drinking water community confidence reports; publication. Requires the Department of Health to include in its regulations governing waterworks, water supplies, and pure water a process whereby waterworks serving fewer than 10,000 people may seek and the Governor may grant a waiver of the requirement that the waterworks mail copies of its community confidence report to each customer of the system at least once annually. Such waterworks shall instead provide notice of the report via publication in a newspaper of general circulation and by such other means as the waterworks deems appropriate and make copies of the report available to the public upon request. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB1024>

01/11/11 Senate: Referred to Committee on Education & Health

SB 1237 (Ticer) Ground water withdrawal permit fees. Increases the maximum amount that the State Water Control Board can charge for a permit to withdraw ground water from \$6,000 to \$12,000. The term of a ground water permit is up to 10 years. The State Water Control Board is also authorized to set up a fee schedule to allow permit holders to pay their permit fees on an annual basis over the term of the permit. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1237>

1/12/11 Senate: Referred to Senate ACNR

WASTEWATER

NOTE: Bills pertaining to liens for water and sewer charges are listed in separate section below.
NOTE: Fertilizer bills are listed separately below.

HB 1624 (Knight) Department of Environmental Quality; consent agreements. Authorizes the Executive Director of the Department of Environmental Quality, when the State Water Control Board is not in session, to enter into consent orders with persons who have violated the water control laws or provisions of their ground water permit or surface water management area permits. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1624>
1/10/11 House: Referred to House ACNR

HB 1626 (Knight) Onsite sewage systems; voluntary upgrades. Allows the owner of an onsite or alternative discharging sewage system that is not failing to obtain a construction permit to improve the system, provided such upgrade is for the purposes of reducing threats to the public health, or to ground and surface waters, including the reduction of nitrogen discharges. The bill contains an emergency clause. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1626>
1/18/11 House: Reported from Health, Welfare & Institutions with amendments (22-Y 0-N)

HB 1828 (Scott) Virginia Pollution Abatement Permit; inspection requirements. Removes the rule that the Department of Environmental Quality must inspect all facilities covered by a Virginia Pollution Abatement Permit annually for confined animal feeding operations or at least once every five years for all others. The bill sets a new standard that all facilities should be inspected to ensure compliance with statutory, regulatory, and permit requirements. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1828>
1/11/11 House: Referred to House ACNR

HB 1969 (Robinson) Sewage disposal systems; civil penalties. Allows localities to use a properly licensed contractor working on behalf of the locality to issue civil summonses for certain violations related to sewage disposal systems. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1969>
1/11/11 House: Referred to Committee on Counties, Cities & Towns
1/17/11 House: Assigned CC&T Sub#1

HB 2058 (Poindexter) Water quality reports. Consolidates several reports on the progress in cleaning up Virginia's impaired waters into semiannual and annual reports submitted by the Secretary of Natural Resources to the legislative committees of oversight. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2058>
1/11/11 House: Referred to House ACNR

HB 2185 (Lewis) Submission of onsite soil evaluations for permits or letters for sewage systems. Provides that the Department of Health shall require submission of onsite soil evaluations with every application for a permit or letter for any onsite sewage or alternative discharging sewage system, but authorizes the Department to waive such requirement for applicants whose incomes are below the federal poverty guidelines. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2185>
01/12/11 House: Referred to Committee on Health, Welfare and Institutions

SB 1053 (Barker) Assignment of general fund balance remaining at year-end (AFFECTS WQIF STATUTORY PRIORITY). Changes current law for the assignment of any year-end general fund surplus to provide that the surplus shall be used (i) first, for the Revenue

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

Stabilization Fund deposit, and (ii) then, the scheduled repayment of deferred contributions to defined benefit retirement plans maintained by the Virginia Retirement System for state employees. The Governor would then be required to include in his budget bill proposed appropriations from the general fund surplus for the funding of the Revenue Stabilization Fund and the repayment of such deferred contributions. No other assignment of the general fund surplus could be made unless the total amounts for clauses (i) and (ii) have been set aside from such surplus. Current law does not provide for any assignment of the general fund surplus for funding of the repayment of deferred contributions to defined benefit retirement plans of the Virginia Retirement System. However, the current general appropriation act includes a requirement for the Governor to propose appropriations for the repayment of contributions to the Virginia Retirement System that are being deferred for the 2010-2012 biennium. <http://leg1.state.va.us/cgi-bin/legp504.exe?ses=111&typ=bil&val=sb1053>

01/11/11 Senate: Referred to Committee on Finance

SB 1056 (Stuart) Wastewater treatment. Requires the State Water Control Board, in consultation with the Department of Environmental Quality, to develop policies by July 1, 2020, aimed at eliminating wastewater discharges from sewage treatment facilities. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1056>

1/11/11 Senate: Referred to Senate ACNR

SB 1100 (Hanger) Water Quality Improvement Fund; nutrient offsets. Creates the Nutrient Offset Fund as a subfund of the Virginia Water Quality Improvement Fund to be administered by the Director of the Department of Environmental Quality for the purchase of nutrient reductions certified under the Chesapeake Bay Watershed Nutrient Credit Exchange Program. Using moneys from the subfund, the Director of the Department of Environmental Quality may enter into long-term contracts with producers of nutrient offsets to purchase such offsets. Priority shall be given to nutrient offsets produced from facilities that generate electricity from animal waste. The nutrient offsets purchased with moneys from the subfund will be available for sale to owners or operators of new or expanded facilities required to offset nutrient loads through the watershed general permit. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1100>

1/11/11 Senate: Referred to Senate ACNR

SJ334 (Whipple) Study; expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program; report. Requests that the Secretary of Natural Resources study the expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program. In conducting its study, the Secretary of Natural Resources shall convene a stakeholder committee to include representatives from the nutrient source sectors identified in the Chesapeake Bay Total Maximum Daily Load, private sector interests with experience and expertise in market-based approaches and nutrient credits and trading, state agency personnel, local governments, conservation and environmental organizations, and any other persons deemed by the Secretary to have relevant knowledge, perspective, or experience. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SJ334>

1/11/11 Senate: Referred to Committee on Rules

WATER & SEWER RATES AND CHARGES, LIENS, DISCONNECTIONS, ETC.

HB 1611 (Oder) Landlord and tenant laws. (Bill text includes the following language: § 15.2-2119. Fees and charges for water, sewer, and other municipal services. For *water, sewer, and other municipal* service provided by localities, fees and charges may be charged to and collected from: (i) any person contracting for the same; (ii) the owner, lessee or tenant, or some or all of them who use or occupy any real estate (a) which directly or indirectly is or has been connected with the sewage disposal system and (b) from or on which sewage or industrial

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

wastes originate or have originated and have directly or indirectly entered or will enter the sewage disposal system; or (iii) any user of a municipality's water or sewer system with respect to combined sanitary and storm water sewer systems where the user is a resident of the municipality and the purpose of any such fee or charge is related to the control of combined sewer overflow discharges from such systems. Such fees and charges shall be practicable and equitable and payable as directed by the respective locality operating or providing for the operation of the water or sewer system.) <http://leg1.state.va.us/cgi-bin/legp504.exe?ses=111&typ=bil&val=HB1611>

01/07/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #1 Housing

HB 1772 (Shuler) Lien for water and sewer charges. Adds the Town of Clifton Forge to those localities that may provide that charges imposed for water or sewers shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach (i) unless the user of the water or sewer services is also the owner of the real estate or (ii) unless the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb1772>

1/11/11 House: Referred to Committee on Counties, Cities & Towns

1/14/11 House: Assigned CC&T Sub#2

HB 1888 (Bulova) Liens for water and sewer charges imposed by localities. Alters the method by which localities can collect delinquent water bills from users of residential rental properties. The changes will put such localities on the same footing as water and sewer authorities, including requirements that the locality (i) provide written notice to the owner of its lien policy when service is initiated, (ii) provide the owner duplicate copies of delinquent bills, and (iii) pursue regular collection efforts against the renter. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1888>

1/11/11 House: Referred to Committee on Counties, Cities & Towns

1/17/11 House: Assigned CC&T Sub#1

HB 2297 (Englin) Termination of water services; procedures to be followed. Requires localities, water authorities, and sewer authorities to give customers a 30-day written notice, along with written contact information, prior to terminating water services. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb2297>

1/12/11 House: Referred to Committee on Counties, Cities & Towns

HB 2409 (Johnson) Lien for water and sewer charges. Adds the Town of Abingdon to the list of localities that may by ordinance provide that taxes or charges for water or sewer service shall be a lien on the real estate served by such waterline or sewer system. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2409>

1/17/11 House: Referred to Committee on Counties, Cities & Towns

HB 2425 (Ingram) Liens by a Water and Waste Authority; repeal. Repeals the authority of Water and Waste Authorities to place liens against an owner's property when a tenant fails to make required payments. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2425>

1/18/11 House: Referred to Committee on Counties, Cities & Towns

SB 846 (Petersen) Lien for water and sewer charges and taxes imposed by localities. Expands the authority localities have to impose liens against real estate served by the locality's waterline or sewer for unpaid taxes and charges. This legislation grants localities the same authority water and sewer authorities have in placing liens against owners, lessees or tenants of

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

property and ranks the lien on a parity with liens for unpaid real estate taxes.
<http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB846>
1/7/11 Senate: Referred to Committee on Local Government

SB 1216 (Smith) Delinquent sewer and water fees and charges; notice. Requires that property owners be given notice within seven days of any delinquent sewer and water bills accrued by their tenants. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1216>
1/12/11 Senate: Referred to Committee on Local Government

SB 1228 (Deeds) Lien for water and sewer charges. Adds the Town of Clifton Forge to those localities that may provide that charges imposed for water or sewers shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach (i) unless the user of the water or sewer services is also the owner of the real estate or (ii) unless the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1228>
1/12/11 Senate: Referred to Committee on Local Government

STORMWATER

NOTE: Fertilizer bills are listed separately below.

HB 1737 (Bulova) Regulation of stormwater management systems. Clarifies legislation and makes technical changes regarding a locality's authority to regulate stormwater management systems. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1737>
1/10/11 House: Referred to Committee on Counties, Cities & Towns
1/14/11 House: Assigned CC&T Sub#2

HB 1739 (Bulova) Right of entry. Gives the operators of a permitted MS4 system (localities) the right of entry to inspect properties that discharge into their municipal separate storm sewer facilities. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1739>
1/10/11 House: Referred to House ACNR

HB 1760 (Wilt) Stormwater management fees. Amends the code to clarify that localities shall provide full stormwater management fee waivers to federal, state, or local agencies when the agency owns and provides for maintenance of on-site storm drainage. This legislation also ensures that such agencies are not assessed fees on all properties acquired through the right of way acquisition process, not just on roads and public street rights-of-ways. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1760>
1/10/11 House: Referred to Committee on Counties, Cities & Towns
1/14/11 House: Assigned CC&T Sub#2

HB 1829 (Scott) Virginia Soil and Water Conservation Board. Increases the voting membership of the Virginia Soil and Water Conservation Board from 10 to 12 by adding three new at-large members and changing the voting privileges of the Director of the Department of Conservation and Recreation from a voting member of the Board to a nonvoting ex officio member. The three new at-large appointees are required to be knowledgeable of stormwater management. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1829>
1/11/11 House: Referred to House ACNR

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

HB 2071 (Ingram) Stormwater utility fees; exemptions. Provides for an exemption from stormwater utility fees for certain religious and nonprofit uses. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2071>

1/12/11 House: Referred to Committee on Counties, Cities & Towns

SB 1060 (McDougle) Definition of impoundment structures. Changes the definition of what constitutes an impoundment structure for the purpose of regulating the operation of such dams. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb1060>

1/11/11 Senate: Referred to Senate ACNR

SB 1099 (Hanger) Nonpoint nutrient offsets. Establishes priorities to be used by permit issuing authorities when considering off-site options for nonpoint nutrient offsets. The first priority of the four priority options will be nonpoint nutrient offsets generated by private entities. The bill also provides the three conditions under which an off-site option can be granted. Permit-issuing authorities are to allow the full or partial substitution of nonpoint nutrient offsets for existing on-site nutrient control when the offsets will compensate for 10 or fewer pounds of the annual phosphorous requirement associated with the land-disturbing activity or the existing on-site controls are not functioning as anticipated and the use of the offset will make up the deficiency. The bill requires the acquisition of nonpoint nutrient offsets in compliance actions to compensate for nutrient control deficiencies when nutrient control deficiencies occur during the period of noncompliance and for permanent deficiencies. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb1099>

1/11/11 Senate: Referred to Senate ACNR

SB 1412 (Martin) Virginia Soil and Water Conservation Board. Increases the voting membership of the Virginia Soil and Water Conservation Board from 10 to 12 by adding three new at-large members and changing the voting privileges of the Director of the Department of Conservation and Recreation from a voting member of the Board to a nonvoting ex officio member. The three new at-large appointees are required to be knowledgeable of stormwater management. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB1412>

1/18/11 Senate: Referred to Senate ACNR

FERTILIZER BILLS

HB 1751 (Plum) Lawn fertilizers; penalty. Prohibits the application of fertilizers that contain phosphorus for use on lawns, golf courses, parks, and cemeteries. The prohibition does not apply to fertilizer products primarily intended for gardening, trees, shrubs, or indoor plants. The bill prohibits the application of fertilizer that contains phosphorus when the ground is frozen. Any fertilizer that runs onto impervious surfaces has to be immediately contained and collected. New lawns or lawns that have had soil tests in the last three years showing phosphorus levels are deficit based upon Department of Conservation and Recreation's nutrient management standards and criteria can use fertilizers that contain phosphorus. Beginning January 1, 2012, no person can display for sale lawn fertilizer that is labeled as containing phosphorus; however, such products can be stored off the sales floor and may be sold upon request. Also beginning on this date, a business selling fertilizers has to provide signage that informs the public of the new law and noting the effects of phosphorus on state waters. Any person who violates provisions of the new law may be assessed a civil penalty by the Department of Conservation and Recreation of up to \$250. The moneys collected will be deposited in the Water Quality Improvement Fund. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1751>

1/11/11 House: Referred to House ACNR

1/18/11 House: Assigned ACNR Sub#2 Natural Resources

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

HB 1831 (Scott) Fertilizer; regulation of application and labeling. Regulates several aspects relating to the application and use of fertilizer to lawns and turfs, including rules against applying fertilizers containing phosphorus or applying fertilizer when the ground is frozen, and the inclusion of a cautionary label on application and use. The prohibitions do not apply if: (i) the turf area is newly established or under repair; (ii) recent soil tests indicate the need for phosphorus fertilizer; (iii) the turf area is a golf course that has implemented a nutrient management plan; (iv) the area is a garden or greenhouse; or (v) the product being used is manipulated manure or yard waste compost. The bill also prohibits localities from regulating the use or application of fertilizers outside of any authority granted by the Stormwater Management Act. The Department of Conservation and Recreation is required to adopt regulations and operate a voluntary nutrient management training program to enable landowners and operators to prepare nutrient management plans for their own property. Golf course owners are specifically required to develop and implement nutrient management plans. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1831>

1/11/11 House: Referred to House ACNR

1/18/11 House: Assigned ACNR Sub#2 Natural Resources

HB 2057 (Poindexter) Virginia Department of Agriculture and Consumer Services; regulation of fertilizer. Revises the laws governing the manufacture and application of fertilizer to: (i) incorporate by reference the guidelines adopted by the Association of American Plant Food Control Officials, (ii) adopt generic precautionary labeling guidelines to prevent fertilizer runoff into the waterways, (iii) shift the permit year to begin on April 1 instead of July 1, (iv) require distributors of commercial fertilizer to submit an annual statistical report to the Commissioner regarding the amounts and localities of distributed product, (v) allow the Commissioner to issue written notices or warnings in lieu of instituting formal proceedings, (vi) authorize the Board to impose a civil penalty of up to \$250 on anyone who violates a written stop sale, and (vii) allow the imposition of late fees for failing to renew a registration, license, or permit and for failing to obtain a registration, license, or permit after receiving notice of this requirement. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2057>

1/11/11 House: Referred to House ACNR

HB 2348 (Morrissey) Fertilizer and deicing agents; regulation of application; penalty. Requires certain localities to regulate the sale and application of fertilizers and deicing agents. In those localities, effective January 1, 2014, fertilizer shall not (i) contain phosphorus, (ii) be applied during winter months, or (iii) be applied on impervious surfaces. The restrictions do not apply to newly established turf or lawn areas during their first growing season, turf or lawn areas where recent soil tests confirm the need for phosphorus, or gardens or to the application of compost. The sale of any deicing agent containing urea or other forms of nitrogen or phosphorus is also prohibited. A locality may impose a civil penalty not to exceed \$250 per violation per day, not to exceed a total of \$2,000 per year. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2348>

1/12/11 House: Referred to House ACNR

1/18/11 House: Assigned ACNR Sub#2 Natural Resources

SB 990 (Stuart) Virginia Department of Agriculture and Consumer Services; regulation of fertilizer. [SAME AS HB 2057] Revises the laws governing the manufacture and application of fertilizer to: (i) incorporate by reference the guidelines adopted by the Association of American Plant Food Control Officials, (ii) adopt generic precautionary labeling guidelines to prevent fertilizer runoff into the waterways, (iii) shift the permit year to begin on April 1 instead of July 1, (iv) require distributors of commercial fertilizer to submit an annual statistical report to the Commissioner regarding the amounts and localities of distributed product, (v) allow the Commissioner to issue written notices or warnings in lieu of instituting formal proceedings, (vi)

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

authorize the Board to impose a civil penalty of up to \$250 on anyone who violates a written stop sale, and (vii) allow the imposition of late fees for failing to renew a registration, license, or permit and for failing to obtain a registration, license, or permit after receiving notice of this requirement. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB990>

1/11/11 Senate: Referred to Senate ACNR

SB 922 (McDougle) Fertilizer; regulation of application and labeling. [SAME AS HB 1831]

Regulates several aspects relating to the application and use of fertilizer to lawns and turfs, including rules against applying fertilizers containing phosphorus or applying fertilizer when the ground is frozen, and the inclusion of a cautionary label on application and use. The prohibitions do not apply if: (i) the turf area is newly established or under repair; (ii) recent soil tests indicate the need for phosphorus fertilizer; (iii) the turf area is a golf course that has implemented a nutrient management plan; (iv) the area is a garden or greenhouse; or (v) the product being used is manipulated manure or yard waste compost. The bill also prohibits localities from regulating the use or application of fertilizers outside of any authority granted by the Stormwater Management Act. The Department of Conservation and Recreation is required to adopt regulations and operate a voluntary nutrient management training program to enable landowners and operators to prepare nutrient management plans for their own property. Golf course owners are specifically required to develop and implement nutrient management plans.

<http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB922>

1/10/11 Senate: Referred to Senate ACNR

SB 1055 (Stuart) Fertilizer and deicing agents; regulation of application; report.

Requires the Board of Agriculture and Consumer Services to adopt regulations (i) requiring professionals and public sector applicators of fertilizers to nonagricultural lands to become trained and certified in nutrient management and apply fertilizer in accordance with the principles thereof; (ii) prohibiting the application of phosphorus to turfgrass without a soil test; (iii) prohibiting the application of nutrients to impervious surfaces; and (iv) setting standards for soil analysis techniques, equipment calibration, and the timing of the application. Sellers and applicators of fertilizer shall be required to submit annual reports to the Commissioner of Agriculture and Consumer Services noting the amounts sold or applied by locality. Lawn and turf fertilizer bags will carry a statement cautioning against improper application. Effective July 1, 2012, and subject to exemptions for newly established turfgrass and gardens, no businesses shall sell (a) turf maintenance fertilizer containing phosphorus without point-of-sale limitations; (b) deicing agent containing urea; and (c) fertilizer without prominently displaying cautionary signage regarding excessive use. The Board of Agriculture and Consumer Services may impose a civil penalty of up to \$250 for violations of these provisions. The Department of Agriculture and Consumer Services is requested to provide a report concerning the use of slowly-available nitrogen in fertilizer material to the legislative committees with subject matter jurisdiction over agriculture and the environment. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb1055>

1/11/11 Senate: Referred to Senate ACNR

AUTHORITIES

NOTE: Bills covering topics generally applicable to localities and authorities are included in other sections of this report (e.g., liens for unpaid water bills)

HB 1474 (Ware) Erosion and sediment control specifications. Allows public service authorities to annually file general erosion and sediment control specifications with the Virginia Soil and Water Conservation Board for the construction of water and sewer lines. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb1474>

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

12/9/10 House: Referred to House ACNR

HB 1495 (Ware) Erosion and sediment control specifications. Allows public service authorities to annually file general erosion and sediment control specifications with the Virginia Soil and Water Conservation Board for the construction of water and sewer lines. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb1495>

12/16/10 House: Referred to House ACNR

HB 1521 (Landes) Water Authorities; Sewer Authorities as Political Subdivisions. Specifies that water authorities, sewer authorities, sewage disposal authorities, stormwater control authorities, and refuse collection and disposal authorities are political subdivisions of the Commonwealth. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hb1521>

12/17/10 House: Referred to Committee on Counties, Cities & Towns

1/17/11 House: Assigned CC&T Sub#2

HB 1522 (Landes) Water and Waste Authorities; Eminent Domain Powers. Amends the current law so that water and waste authorities have the power to exercise eminent domain as set out in Chapter 2 (§ 25.1-200 et seq.) or Chapter 3 (§ 25.1-300 et seq.) of Title 25.1 of the Code of Virginia, rather than with the same authority as is vested in the Commonwealth Transportation Commissioner. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=HB1522>

12/17/10 House: Referred to Committee for Courts of Justice
1/10/11 House: Assigned Courts Sub #2 Civil

1/12/11 House: Subcommittee recommends reporting (11-Y 0-N)

SB 1160 (Quayle) Mandatory connection to water and sewer systems. Provides that an authority may require adjacent property owners to connect their buildings to the authority's system upon or after the acquisition or construction of the water or sewer system. Currently, the law requires connection to be made upon the acquisition or construction of the water or sewer system. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb1160>

1/12/11 Senate: Referred to Committee on Local Government

PROCUREMENT

HB 1581 (Dance) Virginia Public Procurement Act; establishment of historically underutilized business zones (HUB zones). Requires the Department of General Services and the Virginia Information Technologies Agency to develop procurement regulations for the utilization of small businesses located in historically underutilized business zones (HUB zones). The bill also authorizes public bodies to establish programs to facilitate the participation of small businesses in HUB zones. Such programs must be in writing and comply with any enhancement or remedial measures authorized by the Governor in the case of state agencies or the chief executive of a local governing body in the case of local agencies. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1581>

1/5/11 House: Referred to Committee on General Laws
1/12/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1592 (Iaquinto) Public procurement; posting on website. Requires all state agencies and regional bodies to put requests for proposal and invitations to bid on the Department of General Services' website. The bill defines regional public body. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1592>

1/5/11 House: Referred to Committee on General Laws
1/12/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1595 (Iaquinto) Virginia Public Procurement Act; procurement of professional services by local public bodies. Increases the threshold from \$30,000 to \$50,000 for local public bodies procuring professional services in the aggregate or for the sum of all phases of such a contract or project. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1595>

1/5/11 House: Referred to Committee on General Laws

1/12/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1609 (Orrock) Virginia Public Procurement Act; definitions; public body. Adds metropolitan planning organizations and planning district commissions to the definition of "public body" as used in the Virginia Public Procurement Act. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1609>

1/7/11 House: Referred to Committee on General Laws

1/14/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1859 (Anderson) Virginia Public Procurement Act; preference for business using the E-Verify program. Requires state agencies to include in every contract over \$50,000 a provision requiring the contractor to use the E-Verify program for employees who will be performing work under the contract within the Commonwealth. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1859>

1/11/11 House: Referred to Committee for Courts of Justice

HB 1882 (Filler-Corn) Virginia Public Procurement Act; use of best value contracting by localities. Authorizes the use of best value contracting by localities as an alternative to competitive bidding. The bill defines best value contracting as a procurement process where the lowest responsible bidder may be selected on the basis of objective criteria with the resulting selection representing the best combination of price and qualifications. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1882>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1902 (Hugo) Virginia Public Procurement Act; alternative dispute resolution. Provides that contractual claims submitted under § 2.2-4363 related to a construction contract entered into by or on behalf of the Virginia Community College System for which the System has not made a final decision in the time specified in the contract or in § 2.2-4363, shall be submitted for arbitration, mediation, or other nonbinding alternative dispute resolution procedures. The bill provides that nothing shall be construed to limit the contractor's right to institute immediate legal action pursuant to § 2.2-4364; provided that if a contractual claim is subject to this subsection, then no legal action shall be filed until at least 60 days after the matter has been submitted to such nonbinding alternative dispute resolution procedures. The bill provides that it applies only to contracts entered into on or after July 1, 2011. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1902>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1929 (Marshall) Virginia Public Procurement Act; price matching by Virginia businesses. Provides that whenever the lowest responsive and responsible bidder is a resident of any other state, and the difference between such bidder's bid and the bid of the next lowest responsive and responsible bidder who is a resident of Virginia is no more than five percent or \$10,000, the Virginia bidder shall be given the opportunity to match the bid of the out-of-state bidder. If the Virginia bidder matches the out-of-state bid, the contract shall be awarded

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

to the Virginia bidder. The bill requires the Division of Purchases and Supply to develop price match procedures. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1929>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 1951 (Villanueva) Virginia Public Procurement Act; bid, performance, and payment bonds. Raises the minimum contract amount required for bid, performance, or payment bonds to \$1 million. Currently the minimum contract amounts are generally \$100,000 for non-transportation-related construction contracts and \$250,000 for transportation-related projects partially or wholly funded by the Commonwealth. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1951>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned GL Sub #2 FOIA/ Procurement

HB 2333 (Lingamfelter) Virginia Public Procurement Act; preference for Virginia firms using E-Verify program. Provides that in the case of a tie bid, preference shall be given to goods or services or construction provided by persons, firms or corporations using the E-Verify program for employees who perform work within the Commonwealth. Under the bill, in the case of a tie bid where none of the bidders use the E-verify program, preference shall be given to goods produced in Virginia or goods or services or construction provided by Virginia persons, firms or corporations. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2333>

01/12/11 House: Referred to Committee for Courts of Justice

SB 1177 (Marsden) Virginia Public Procurement Act; use of best value contracting by localities. Authorizes the use of best value contracting by localities as an alternative to competitive bidding. The bill defines best value contracting as a procurement process where the lowest responsible bidder may be selected on the basis of objective criteria with the resulting selection representing the best combination of price and qualifications. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1177>

01/12/11 Senate: Referred to Committee on General Laws and Technology

SB 1288 (McWaters) Public Procurement Act; verification of legal presence. Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1288>

01/12/11 Senate: Referred to Committee on General Laws and Technology

HJ 645 (Poindexter) Study; procurement and sharing of technology applications for local governments; report. Requests the Secretary of Technology to study opportunities to facilitate cooperative procurement and sharing of custom technology applications to leverage buying power and create efficiencies for local government. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HJ645>

01/12/11 House: Referred to Committee on Rules

01/18/11 House: Assigned Rules sub: #3 Studies

EMINENT DOMAIN

HB 1693 (Athey) Eminent domain; waiver of appraisal. Changes the maximum limit on waiver of appraisals from \$10,000 to \$25,000, consistent with the amount allowed by federal regulations. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1693>

1/10/11 House: Referred to Committee for Courts of Justice

1/17/11 House: Subcommittee recommends reporting (8-Y 1-N)

HB 2110 (Armstrong) Eminent domain; just compensation; restricted access. Provides that any restriction, change, or loss of access to or from property taken under the power of eminent domain shall be considered as an element in assessing the damages to residue for the purposes of determining just compensation. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2110>

1/12/11 House: Referred to Committee for Courts of Justice

1/18/11 House: Assigned Courts sub#2 Civil

HB 2161 (Iaquinto) Eminent domain; procedures. Provides that if a condemnor is required to provide an appraisal to the owner of property sought to be condemned, the condemnor must provide copies of all appraisals that the condemnor obtained prior to making an offer to acquire or initiating negotiations for the property. The bill also makes changes to the procedure for offering to sell condemned property back to the former owner to clarify when such an offer is required to be made and how such an offer is communicated to the former owner. The bill also provides that certain definitions in certain chapters of Title 25.1 (Eminent Domain) apply to the entire title. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2161>

1/12/11 House: Referred to Committee for Courts of Justice

1/18/11 House: Assigned Courts sub#2 Civil

HJ 498 (Loupassi) Constitutional amendment (first resolution); taking of private property for public uses. Defines the term "public uses" and specifies the instances for which private property may be taken. The measure also specifies that a taking of private property is not for a public use if the primary purpose of the property's acquisition is to increase tax base, tax revenues, or employment or otherwise to facilitate economic development. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HJ498>

8/10/10 House: Referred to Committee on Privileges and Elections

1/17/11 House: Subcommittee recommends incorporating HJ647-Bell by voice vote

HJ 647 (Bell) Constitutional amendment (first resolution); taking or damaging of private property; public use. Expands the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The measure (i) states that the right to private property is fundamental; (ii) clarifies that the damaging or taking of private property is prohibited except for public use, and only upon the payment of just compensation to the owner; (iii) requires that the owner receive just compensation for the property taken or damaged and for damages to the residue; (iv) states that just compensation is no less than the value of the property taken or damaged, business goodwill, relocation expenses, loss of access and other economic loss proximately caused by the taking or damaging; (v) prohibits the taking of more property than is necessary to achieve the stated public use; (vi) provides that a taking of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the authorized provision of a public utility, public service corporation, or railroad service or for the elimination of a public nuisance existing on the property; and (vii) requires the condemnor to bear the burden of proving that the use is public. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hj647>

1/12/11 House: Referred to Committee on Privileges and Elections

1/17/11 House: Subcommittee recommends reporting with amendments (3-Y 2-N)

FREEDOM OF INFORMATION

HB 1457 (Marshall) Freedom of Information Act; violations and penalties. Provides that public employees may be terminated or otherwise disciplined for knowing and willful violations of FOIA. The bill also clarifies existing law that officers, employees, and members of public bodies may be subject to civil penalties for knowing and willful violations of FOIA. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=HB1457>

11/29/10 House: Referred to Committee on General Laws

1/12/11 House: Assigned to GL Sub #2 FOIA/Procurement

HB 1860 (Anderson) Freedom of Information Act; proceedings for enforcement. Requires that the party against whom a FOIA petition is brought must receive a copy of the petition at least three working days prior to the filing of the petition. The bill contains technical amendments and is a recommendation of the FOIA Council. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1860>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned to GL Sub #2 FOIA/Procurement

HB 2020 (May) Virginia Freedom of Information Act; definition of private record. Defines a "private record" as a record that does not relate to or affect the carrying out of the constitutional, statutory, or other official public business of a public officer, employee, or agent, including the correspondence, diaries, journals, or notes that are not prepared for, utilized for, circulated, or communicated in the course of transacting public business. The bill provides that private records do not constitute public records and states that the physical form or characteristics of the record, including any use of a private or nongovernmental electronic mail account or any other nongovernmental medium, has no bearing on whether or not a record is private as defined by the bill. The bill is in response to a court case in Loudoun County. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2020>

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned to GL Sub #2 FOIA/Procurement

HB 2041 Virginia Freedom of Information Act; record and meeting exemption for certain commissions. Allows any commission created by executive order to study and make recommendations concerning the prevention of closure and realignment of federal security installations in Virginia to withhold from public disclosure certain records relating to the relocation of national security facilities. The bill also allows those portions of meetings where such records are discussed to be closed to the public. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2041>.

1/11/11 House: Referred to Committee on General Laws

1/17/11 House: Assigned to GL Sub #2 FOIA/Procurement

SB 763 (Puller) Freedom of Information Act; proceedings for enforcement. Requires that the party against whom a FOIA petition is brought must receive a copy of the petition at least three working days prior to the filing of the petition. The bill contains technical amendments and is a recommendation of the FOIA Council. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=SB763>

12/7/10 Referred to Committee on General Laws & Technology

SB 812 (Martin) Virginia Freedom of Information Act; access to salary information, etc., of public employees. Allows public access to the records of only the job position, official salary, or rate of pay of, and the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body. The bill specifically excludes the name of any such officer, official, or employee from disclosure. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB812>

1/5/11 Referred to Committee on General Laws & Technology

SB 951 (Houck) Freedom of Information Act; transfer of records. Clarifies that the Library of Virginia is the custodian of records transferred to it for permanent archiving pursuant to the duties imposed by the Virginia Public Records Act (§ 42.1-76 et seq.) and for responding to requests for such records made under FOIA. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB951>

1/5/11 Referred to Committee on General Laws & Technology

SB 1296 (Ruff) Virginia Freedom of Information Act; record and meeting exemption for certain commissions. Allows any commission created by executive order to study and make recommendations concerning the prevention of closure and realignment of federal security installations in Virginia to withhold from public disclosure certain records relating to the relocation of national security facilities. The bill also allows those portions of meetings where such records are discussed to be closed to the public. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1296>

1/12/11 Referred to Committee on General Laws & Technology

MISCELLANEOUS

HB 1498 (Ware) Plastic bags; use by retailers. Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles, (ii) at least 2.25 mils thick, and (iii) specifically designed and manufactured for multiple reuse. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1498>

12/16/10 House: Referred to House ACNR

HB 1623 (Knight) Impacts to wetlands. Provides that no individual or general Virginia Water Protection Permit is required to be issued for a project's impacts to wetlands if the U.S. Army Corps of Engineers has issued an individual wetlands permit. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1623>

1/10/11 House: Referred to House ACNR

HB 1649 (Cosgrove) Virginia Water Protection Permit; fee exemption; U.S. Navy. Extends the exemption from fee requirements for a Virginia Water Protection Permit to dredging activities performed by the Department of the Navy. Dredging operations sponsored by the Army Corps of Engineers are already exempted from such fees. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1649>

1/10/11 House: Referred to House ACNR

HB 1656 (Purkey) Menhaden fishing prohibited. Prohibits fishing for menhaden within one mile of the low mean water mark in waters adjacent to the Cities of Hampton, Newport News, Norfolk, and Virginia Beach. If someone fishes in these waters, he is subject to a penalty of a Class 1 misdemeanor. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1656>

1/10/11 House: Referred to House ACNR

1/18/11 House: Assigned ACNR Sub#3 Chesapeake

HB 1734 (Carrico) Board for Professional Soil Scientists and Wetland Professionals; licensed professional soil scientists. Requires professional soil scientists to be licensed by the Board for Professional Soil Scientists and Wetland Professionals effective January 1, 2012. Currently, professional soil scientists are subject to voluntary certification. The bill sets out the requirements for licensure, continuing education, and grandfathers soil scientists under certain conditions. The bill contains technical amendments. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1734>

1/10/11 House: Referred to Committee on General Laws

1/14/11 House: Assigned GL Sub#4 Professions/Occupations & Admin Process

HB 1817 (Hope) Department of General Services; Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the LEED Silver or Green Globes two globe standard. The buildings shall be designed, constructed, verified, and operated to achieve energy savings that exceed the American Society of Heating, Refrigerating and Air-Conditioning Engineers Standard 90.1-2004 (Energy Standard for Buildings Except Low-Rise Residential Buildings) by at least 15% for new construction and 10% for major renovation. In addition, water systems designed for such buildings shall be required to provide water use savings of at least 25 percent over the baseline standard established in the federal Energy Policy Act of 1992. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or by the governing body of a locality or school board for local projects. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1817>

1/11/11 House: Referred to Committee on General Laws

HB 1830 (Scott) Agriculture; resource management plans. Allows owners of agricultural land who implement and maintain a resource management plan to be deemed as being in full compliance with applicable state water quality requirements. The presumption does not extend to those operations (i) required to obtain a Virginia Pollutant Discharge Elimination System Permit, (ii) required to obtain a Virginia Pollution Abatement Permit, and (iii) otherwise required by law to implement a resource management or nutrient management plan. The Board of Agriculture and Consumer Services, by regulation and with the assistance of the Department of Conservation and Recreation, shall determine the criteria necessary for qualified resource management plans. The bill sets out minimum criteria for the regulations. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1830>

1/11/11 House: Referred to House ACNR

HB 1855 (Dance) Fish passageways for the Harvell Dam. Exempts the Harvell Dam located on the Appomattox River in the City of Petersburg from the requirements of building a fish passageway if the dam obstructs navigation or the passage of fish. However, prior to any breach of the dam, the Department of Game and Inland Fisheries is to prepare a report on the alternatives considered to the proposed breach of the dam. The report is to be submitted to the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources on or before November 30, 2011. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1855>

1/11/11 House: Referred to House ACNR

HB 1864 (Cole) Urban Development Areas. Makes several changes to the urban development area legislation. Developable acreage is redefined to exclude (i) parks, rights-of-way of arterial and collector streets, railways, and resource protection areas, and wetlands; (ii) land used by public utilities solely for utility services; (iii) public lands and facilities; (iv) land within a five-mile radius of a military base over which the United States enjoys exclusive federal jurisdiction; and

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

(v) land designated by a branch of the armed forces of the United States as its overfly zone. The legislation also permits light industrial use within urban development areas and specifies that the governing body's authority to accept proffered conditions is not impaired by anything in this legislation. Localities required to amend their comprehensive plan in accordance with this legislation are given an additional year to do so. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1864>

1/11/11 House: Referred to Committee on Counties, Cities & Towns

1/17/11 House: Assigned CC&T Sub#2

HB 1912 (Miller) Electric utility ratemaking procedures; recognition of Commonwealth Energy Policy. Directs the State Corporation Commission to include in its rules and regulations implementing the procedure by which the rates of investor-owned electric utilities are set a procedure and methodology to recognize energy objectives and elements of the Commonwealth Energy Policy. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1912>

1/11/11 House: Referred to Committee on Commerce & Labor

1/17/11 House: Assigned C&L sub#3 Special Subcommittee on Energy

HB 1943 (Pollard) No discharge zones. Clarifies that a no discharge zone cannot be established in the Chesapeake Bay or the main stem openings of the major rivers that flow into the Bay. The bill also describes the actions that must be taken to ensure that there is no discharge of sewage from vessels while in a no discharge zone. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB1943>

1/11/11 House: Referred to House ACNR

HB 2047 (Ebbin) Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2047>

1/11/11 House: Referred to Committee on Finance

1/17/11 House: Assigned Finance Sub#1

HB 2103 (Bulova) Aboveground storage tanks. Requires the State Water Control Board to develop standards for facilities with aboveground storage tanks having an aggregate capacity of one million gallons or greater to upgrade to meet best practices standards for new or retrofitted tanks. The tanks have to meet these performance standards by July 1, 2021. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2103>

1/12/11 House: Referred to House ACNR

HB 2165 (Abbitt) Menhaden assessment; penalty. Authorizes the Marine Resources Commission to assess a fee of \$10 for each ton of menhaden harvested. The fees are to be paid to the Commission semiannually and are to be used by the Commission to evaluate the condition of the menhaden fishery. The persons harvesting menhaden are also required to submit a monthly catch report to the Commission. The bill contains a five-year sunset. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2165>

1/12/11 House: Referred to Committee on Finance

1/17/11 House: Assigned Finance Sub#1

HB 2262 (Morgan) Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building to build to either U.S. Green Building Council Leadership in Energy and Environmental Design green building rating standard (LEED) Silver or Green Globes two globe standards. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects. The bill has a delayed implementation date of July 1, 2012, for local public bodies and school boards. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2262>
01/12/11 House: Referred to Committee on General Laws

HB 2270 (Keam) Electric utility rate structures; advancing conservation and efficiency. Directs the State Corporation Commission to encourage investor-owned electric utilities to file tariffs with rate structures that reflect time of day and seasonal cost differentials. In proceedings that involve a new or amended retail rate structure, the Commission is directed to consider several factors, including the extent to which the rates are designed to align with the utility's marginal cost of providing service at different times of the day. In such rate structure proceedings, electric utilities may seek, and the Commission may approve, financial incentives for the implementation of creative rate options that would allow the utility and its customers to share the economic benefits of rate structures that lower the utility's fuel costs. The measure also directs the Commission to give the highest level of priority in its development of the electric energy consumer education program to efforts to increase consumer awareness and knowledge of electricity rate structures and the overall cost of electricity. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2270>

01/12/11 House: Referred to Committee on Commerce and Labor

01/18/11 House: Assigned C & L sub: #3 Special Subcommittee on Energy

HB 2272 (Keam) Statute of limitation for local professional license violations. Creates a statute of limitations for local licensure violations by providing that prosecution of any misdemeanor violation of any professional licensure requirement imposed by a locality shall commence within one year of the discovery of the offense by the complainant, but in no case later than five years from occurrence of the offense. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2272>

01/12/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal

HB 2280 (Cosgrove) Menhaden fishery. Directs the Virginia Marine Resources Commission to adopt regulations to implement the Interstate Fishery Management Plan for Atlantic Menhaden. The bill also requires that any moratorium on the fishery be subject to legislative review and repeals the Governor's authority to implement menhaden management measures by proclamation. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2280>

01/12/11 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/18/11 House: Assigned ACNRsub: #3 Chesapeake

HB 2287 (Sickles) Permit fees for solid waste facilities. Establishes the same fee structure for sanitary landfills, noncaptive industrial landfills, and construction and demolition debris landfills. All of these types of facilities will be required to pay an annual fee of \$0.145 per ton of waste deposited in their facility. Currently, noncaptive industrial landfills pay an annual fee of \$8,000 and construction and demolition debris landfills pay \$4,000 annually, while the fee schedule for sanitary landfills is based on the annual tonnage of waste deposited in the landfill. Incinerators and energy recovery facilities will be assessed an annual fee of \$0.03 per ton. The fees will be adjusted annually based on the Consumer Price Index. The annual fee has been

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

increased for other types of facilities such as composting, regulated medical waste, transfer stations, etc. The bill also requires the Department of Environmental Quality to develop and implement policies and procedures to maximize efficiency and eliminate unnecessary delays in processing waste permit applications and permit amendments. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2287>
1/12/11 House: Referred to House ACNR

HB 2326 (Lingamfelter) Small water or sewer companies. Requires any water or sewer company serving more than 25 customers, rather than 50 under current law, to incorporate as a public service company. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2326>
01/12/11 House: Referred to Committee on Commerce and Labor
01/18/11 House: Assigned C & L sub: #2

HB 2334 (Lingamfelter) Fish and Wildlife Commission established; report. Establishes the eight-member Fish and Wildlife Commission to review matters relating to freshwater and tidal fisheries and wildlife that have been referred to it by the legislative committees having jurisdiction over such subject matter. The Commission has a three-year sunset. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2334>
1/12/11 House: Referred to House ACNR

HB 2338 (Garrett) Alternative method for local government to give notice by mail. Provides that a locality may give notice by regular mail in any instance in which two or more notices are required for the same action and at least one notice has previously been sent by certified or registered mail. Such notice may be sent to the last address available through government records. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2338>
01/12/11 House: Referred to Committee on Counties, Cities and Towns

HB 2341 (Morrissey) Plastic bag tax. Imposes a tax of \$0.20 on plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the tax. Retailers are allowed to retain \$0.05 of the \$0.20 tax or \$0.07 if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2341>
01/12/11 House: Referred to Committee on Finance

HB 2364 (Peace) Joint aid agreements by localities. Provides that a locality may, by ordinance or resolution, authorize its chief administrative officer to arrange for provision of aid to other localities or receipt of aid from other localities, including approval by the chief administrator of agreements with other localities, subject to availability of resources. The ordinance or resolution may include terms and conditions deemed necessary by the governing body for participation in such aid and shall set forth the scope of the chief administrator's authority. Deployed personnel acting pursuant to the ordinance or resolution of the governing body shall have the same authority and immunity in other localities as in the locality where they are employed or volunteer. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2364>
01/12/11 House: Referred to Committee on Counties, Cities and Towns

HB 2368 (Ware) Supplemental environmental projects. Authorizes the Virginia Soil and Water Conservation Board, the Director of the Department of Conservation and Recreation, and courts to provide for the undertaking of supplemental environmental projects through orders. A "supplemental environmental project" is an environmentally beneficial project undertaken as

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

partial settlement of a civil enforcement action that is not otherwise required by law. The project must have a reasonable geographic nexus to the violation or, if no such project is available, advance objectives of the law or regulation violated. Categories of qualifying projects are listed in the bill, as are factors to be considered in determining the appropriateness and value of a project. The project must be agreed to by the person who is subject to the order and is enforceable as is any other provision of the order. A board, agency, or court decision to agree to a project is not subject to appeal. A similar authority was granted to the Department of Environmental Quality in 1997. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB2368>
1/12/11 House: Referred to House ACNR

HB 2389 (Pollard) Virginia Resources Authority; renewable energy projects. Adds renewable energy projects to those projects which the Virginia Resources Authority may finance. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HB2389>
1/14/11 House: Referred to House ACNR

SB 765 (Northam) Menhaden fishery. Directs the Virginia Marine Resources Commission to adopt regulations to implement the Interstate Fishery Management Plan for Atlantic Menhaden. The bill also requires that any moratorium on the fishery be subject to legislative review and repeals the Governor's authority to implement menhaden management measures by proclamation. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb765>
12/8/10 Referred to Senate ACNR

SB 832 (Petersen) Green Public Buildings Act. Requires executive branch agencies and institutions entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to meet standards at least as stringent as the LEED or Green Globes standards. Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB832>
1/7/11 Senate: Referred to Committee on General Laws and Technology

SB 843 (Petersen) Aboveground storage tanks; retrofitted tanks; allocation of proceeds from civil penalties. Requires the State Water Control Board to develop standards for facilities with aboveground storage tanks having an aggregate capacity of one million gallons or greater to upgrade to meet best practices standards for new or retrofitted tanks. The tanks have to meet these performance standards by July 1, 2021. The bill also provides that civil penalties assessed and collected for petroleum spills shall be first allocated to immediate corrective actions to contain or mitigate the effects of any release of petroleum into the environment from such violation before being paid into the Virginia Underground Petroleum Storage Tank Fund. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB843>
1/7/11 Senate: Referred to Senate ACNR

SB 869 (Stuart) Urban Development Areas. Makes several changes to the urban development area legislation. Developable acreage is redefined to exclude (i) parks, rights-of-way of arterial and collector streets, railways, and resource protection areas, and wetlands; (ii) land used by public utilities solely for utility services; (iii) public lands and facilities; (iv) land within a five-mile radius of a military base over which the United States enjoys exclusive federal jurisdiction; and (v) land designated by a branch of the armed forces of the United States as its overfly zone. The legislation also permits light industrial use within urban development areas and specifies that the governing body's authority to accept proffered conditions is not impaired by anything in this legislation. Localities required to amend their comprehensive plan in

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

accordance with this legislation are given an additional year to do so. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB869>

1/10/11 Senate: Referred to Committee on Local Government

SB 883 (Reynolds) Electric utility regulation. Reinstates much of the system under which investor-owned electric utilities were regulated prior to 1999. The measure repeals the Virginia Electric Utility Regulation Act and reenacts provisions relating to State Corporation Commission ratemaking, including provisions addressing the recovery of fuel and purchased power costs, that existed prior to the 2007 legislation that re-regulated most of Virginia's investor-owned electric utilities. Existing provisions of the Virginia Electric Utility Regulation Act pertaining to ratemaking for electric cooperatives, to net energy metering, to consumer education programs, and to interconnections by farms are relocated to other chapters in Title 56. Rate adjustment clauses approved by the SCC will remain in effect as set forth in an enactment clause. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=sb883>

1/10/11 Senate: Referred to Committee on Commerce and Labor

SB 885 (Blevins) Impacts to wetlands. Provides that no individual or general Virginia Water Protection Permit is required to be issued for a project's impacts to wetlands if the U.S. Army Corps of Engineers has issued an individual wetlands permit. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB885>

1/10/11 Senate: Referred to Senate ACNR

SB 961 (Northam) Virginia Water Protection Permit; fee exemption; U.S. Navy. Extends the exemption from fee requirements for a Virginia Water Protection Permit to dredging activities performed by the Department of the Navy. Dredging operations sponsored by the Army Corps of Engineers are already exempted from such fees. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB961>

1/17/11 Senate: Reported from ACNR (13-Y 0-N)

1/18/11 Senate: Constitutional reading dispensed (37-Y 0-N)

SB 963 (Northam) Aquaculture opportunity zones. Removes the authority of the Marine Resources Commission to establish commercial shellfish aquaculture opportunity zones in which temporary protective enclosures can be placed in the waters off the shores of the Northern Neck, the Middle Peninsula, and Tangier Island. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB963>

1/17/11 Senate: Reported from ACNR (14-Y 0-N)

1/18/11 Senate: Constitutional reading dispensed (37-Y 0-N)

SB 964 (Northam) Marine Resources Commission; Virginia Institute of Marine Science; coastal resource management. Requires the Marine Resources Commission to establish and implement a general permit regulation that authorizes and encourages the use of living shorelines as the preferred alternative for stabilizing tidal shorelines. The Commission, in cooperation with the Department of Conservation and Recreation and with technical assistance from the Virginia Institute of Marine Science (VIMS), shall also develop integrated guidance for the management of tidal shoreline systems for the regulatory entities with authority over shoreline management projects. VIMS shall also develop comprehensive coastal resource management guidance for local governments. Those localities in Tidewater Virginia must incorporate such guidance at the next scheduled review of their comprehensive plan. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB964>

1/17/11 Senate: Reported from ACNR (14-Y 0-N)

1/18/11 Senate: Constitutional reading dispensed (37-Y 0-N)

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

SB 968 (Stuart) Endangered and threatened species. Consolidates the endangered plant and insect species program administered by the Virginia Department of Agriculture and Consumer Services, the Virginia Natural Area Preserve Program and Cave Protection Program administered by the Department of Conservation and Recreation, and the endangered fish and wildlife program, into one program administered by the Board of Game and Inland Fisheries.

<http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB968>

1/17/11 Senate: Reported from ACNR (14-Y 0-N)

SB 974 (Whipple) Income tax; agricultural best management practices. Allows any taxpayer to transfer income tax credits that he receives for agricultural best management practices and that he cannot use to another taxpayer who can use the credits, for taxable years beginning on or after January 1, 2011.

<http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB974>

1/11/11 Senate: Referred to Committee on Finance

SB 1007 (Watkins) Permit fees for solid waste facilities. Establishes the same fee structure for sanitary landfills, noncaptive industrial landfills, and construction and demolition debris landfills. All of these types of facilities will be required to pay an annual fee of \$0.115 per ton of waste deposited in their facility. Currently, noncaptive industrial landfills pay an annual fee of \$8,000 and construction and demolition debris landfills pay \$4,000 annually, while the fee schedule for sanitary landfills is based on the annual tonnage of waste deposited in the landfill. Incinerators and energy recovery facilities will be assessed an annual fee of \$0.06 per ton. The fees will be adjusted annually based on the Consumer Price Index. The annual fee has been increased for other types of facilities such as composting, regulated medical waste, transfer stations, etc. The bill also requires the Department of Environmental Quality to develop and implement policies and procedures to maximize efficiency and eliminate unnecessary delays in processing waste permit applications and permit amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SB1007>

1/11/11 Senate: Referred to Senate ACNR

SB 1119 (McEachin) Department of Environmental Quality; permit compliance; civil penalty procedures. Increases the limit of a civil penalty issued by a special order of the Director of the Department of Environmental Quality from \$10,000 to \$32,500. The Department may issue a civil penalty of not more than \$15,000 after providing reasonable notice of the civil penalty in writing and allowing for an informal fact finding proceeding upon request. The legislation also requires that the Board or the Director, prior to reviewing an application for a permit, shall require an applicant to demonstrate that he is in substantial compliance with local ordinances and with federal and state laws, regulations, and rules, including permits and authorizations, for the protection of the environment in the Commonwealth.

<http://leg1.state.va.us/cgi-bin/legp504.exe?ses=111&typ=bil&val=sb1119>

1/11/11 Senate: Referred to Senate ACNR

SB 1190 (Norment) Aquaculture; Virginia Marine Resources Commission; authority of local governments. Expands the definition of agricultural production activities in the "Right to Farm Act" to include the practice of aquaculture. In areas zoned as agricultural or silvicultural, no special use permit shall be required for such activities. Localities are restricted from regulating the aquaculture production activities of riparian landowners on their own land and piers. Those piers placed for noncommercial purposes and exempt from regulation from the Marine Resources Commission may retain such status even if the private pier is used by its owner for certain aquaculture activities.

<http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1190>

1/12/11 Senate: Referred to Senate ACNR

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

SB 1265 (Vogel) Board for Professional Soil Scientists and Wetland Professionals; licensed professional soil scientists. Requires professional soil scientists to be licensed by the Board for Professional Soil Scientists and Wetland Professionals effective January 1, 2012. Currently, professional soil scientists are subject to voluntary certification. The bill sets out the requirements for licensure, continuing education, and grandfathers soil scientists under certain conditions. The bill contains technical amendments. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1265>

1/12/11 Senate: Referred to Senate ACNR

SB 1277 (Obenshain) Professional engineering of onsite treatment works; Department of Health oversight. Contains several provisions restricting the Department of Health's oversight of the requirements for and the review of onsite treatment works submitted by professional engineers. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+SB1277>

01/12/11 Senate: Referred to Committee on Education and Health

HJ 539 (Cole) Constitutional amendment (first resolution); imposition of taxes and fees. Requires that any bill or ordinance passed by the General Assembly or a local governing body creating, imposing, or increasing a tax, license, fee, or any other charge pass by a three-fifths majority vote of elected members. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=HJ539>

12/7/10 House: Referred to Committee on Privileges and Elections

1/13/11 House: Assigned P&E sub#1 Constitutional

HJ 540 (Cole) Constitutional amendment (first resolution); state and local budgets; limits on appropriations. Limits the state's or a locality's total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. "Total appropriations" is defined so as not to include appropriated moneys for tax relief or moneys that are received from the federal government or an agency or unit thereof. The General Assembly or a local governing body may exceed this limitation only by an affirmative vote of at least three-fifths of the elected members. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=111&typ=bil&val=hj540>

12/6/10 House: Referred to Committee on Privileges and Elections

1/13/11 House: Assigned P&E sub#1 Constitutional

HJ 570 (Cox) Study; Costs and benefits of providing financial and other incentives to localities; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits to the Commonwealth of providing financial and other incentives to localities that collaborate on capital facilities, construction projects, and other operating services. The Commission must submit its report to the 2012 Session of the General Assembly. <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+HJ570>

1/7/11 House: Referred to Committee on Rules

1/18/11 House: Assigned Rules Sub#3 Studies

STATE BUDGET

NOTE: Budget amendment requests by Members were due January 14 but the submitted requests are not yet available online.

HB 1500 / SB 800 Budget Bill (Governor's Amendments to 2010-12 Budget). Item 351 L; Secretary of Natural Resources; DCR. Out of this appropriation, \$32,798,700 the first year from the general fund shall be deposited to the Virginia WQIF. Out of the \$32,798,700

VAMWA – VAMSA – VA AWWA WUC JOINT LEGISLATIVE TRACKING REPORT
January 19, 2011

designated for deposit to the Virginia Water Quality Improvement Fund, \$14,000,000 shall be transferred to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund.

HB 1500 / SB 800 Budget Bill (Governor’s Amendments to 2010-12 Budget). Item 357; Secretary of Natural Resources; DEQ. Out of the amounts of this appropriation, \$3,644,300 the first year from the general fund shall be deposited to the Virginia WQIF. This appropriation, together with the amounts included in Item 351 L. of this act, meets the mandatory deposit requirements associated with the FY 2010 excess general fund revenue collections and discretionary year-end general fund balances.

KEY DATES

Jan. 12 – Session convenes; prefiled bill introduction deadline

Jan. 14 – Budget amendment request deadline

Jan. 21 – Last day to introduce legislation

Feb. 5 – Money Committees to complete action on Budget Bill

Feb. 8 – Crossover

Feb. 24 – Budget Conference Reports available

Feb. 26 – Adjournment